



State of North Carolina
Department of Justice
INVESTIGATIVE DEMAND

TO: Matt McCure
Vice President
The Circle K Stores, Inc.
2440 Whitehall Park Drive
Suite 800
Charlotte, NC 28273-3953
Business Tel. 704/583-5700

TAKE NOTICE: YOU ARE REQUIRED to produce, on or before November 13, 2008, to the undersigned at the address shown below, all documents in your possession or control that were made or received from September 1 to September 30, 2008 showing, referring to or reflecting in whole or in part:

1. Your laid-in cost of each grade of motor fuel delivered to all Circle K retail motor fuel outlets located in North Carolina that are owned and/or controlled by The Circle K Stores, Inc., including but not limited to Circle K #8381 located at 7301 The Plaza, Charlotte, NC and Circle K #5117 located at 7214 The Plaza, Charlotte, NC. Such documents include but are not limited to invoices, delivery tickets and bills of lading for each shipment of motor fuel received at these outlets. As used herein, "laid-in cost" means the rack or wholesale price and all delivery charges and state and federal taxes and fees levied on the shipment, as well as any state or federal tax credits.

2. Your selling price of each grade of motor fuel at each of the Circle K outlets noted above. Such documents should identify all prices charged during the time in issue, and include but are not limited to credit card and debit card receipts, cash register tapes.

3. The volume of each grade of motor fuel sold at each price at each of the outlets noted above during the time in issue.

4. Any and all contracts with distributors and terminal suppliers in effect during all or part of the time in issue relating to motor fuel delivered to the outlets noted above.

5. Any other information that affected your retail pricing decisions at the outlets noted above during the time in issue.

6. Your average gross margin for each grade of motor fuel at the outlets noted above in the months of July and September, 2008. As used herein, "average gross margin" means the retail price of each grade of motor fuel minus the laid-in cost.

As used herein, “documents” includes but is not limited to electronically stored writings and data. Where documents are in electronic format, they should be produced both in paper copy and in electronic format.

Issued this the 31st day of October, 2008, under my hand and seal pursuant to the authority vested in me by G.S. § 75-10.

ROY COOPER
Attorney General

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